

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT
INFRINGEMENT LITIGATION

)
) C.A. No. 05-356 (KAJ)
) (consolidated)
)

**DEFENDANT ALPHAPHARM PTY., LTD.'S JOINDER IN DEFENDANTS
BARR LABORATORIES, INC.'S AND BARR PHARMACEUTICALS, INC.'S
RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL
SUMMARY JUDGMENT REGARDING ANTICIPATION UNDER 35 U.S.C. § 102**

Defendant Alphapharm Pty., Ltd., by and through its undersigned counsel, hereby joins Defendants Barr Laboratories Inc. and Barr Pharmaceuticals, Inc. ("Barr") in their Response in Opposition to Plaintiffs' Motion for Partial Summary Judgment Regarding Anticipation Under 35 U.S.C. § 102 (the "Brief") (D.I. 332) and incorporates by reference the arguments made therein and in the Declaration of Brian E. Farnan in Support of Defendants Barr Laboratories, Inc.'s and Barr Pharmaceuticals, Inc.'s Response in Opposition to Plaintiffs' Motion for Partial Summary Judgment Regarding Anticipation Under 35 U.S.C. § 102 (the "Declaration"), dated December 11, 2006 (D.I. 333). For the legal and factual reasons set forth in the Brief and in the Declaration, Alphapharm Pty., Ltd. respectfully requests that the Court enter an order denying the Plaintiffs' Motion for Summary Judgment.

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CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2006, I caused to be served by hand delivery and electronic mail a copy of the foregoing and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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I further certify that on December 11, 2006, the foregoing document was sent by electronic mail to the following non-registered participants:

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